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United States Department of Agriculture

September 25, 2015

Reference # 263

TO: FGIS POLICY BULLETIN BOARD

FROM: Anthony Goodeman, Acting Director /s/*Anthony Goodeman*
Field Management Division

SUBJECT: Country of Destination on 921-2 for Cargo Transloading in Canada

ORIGINATING OFFICE: Policies, Procedures, and Market Analysis Branch

1. PURPOSE

This memorandum clarifies the policy for information entered in Box 7 of FGIS Form 921-2, pertaining to carriers shipped from the United States and transloaded in Canada to carriers bound for foreign nations.

2. BACKGROUND

A situation regarding an elevator company loading a graded commodity into railcars bound for Canada prompts this bulletin. Upon arrival in Canada, the graded commodity was transloaded into containers which the elevator company said were bound for Indonesia. The Official Agency (OA) entered Canada in Box 7 (Country of Destination), of FGIS Form 921-2, whereas the elevator company wanted Indonesia entered in Box 7. The instructions for Box 7 state that information from the load order is to be entered. APHIS-PPQ was consulted as to what is the proper Country of Destination to enter. This policy bulletin confirms the correct information to enter into Box 7, in Question and Answer style.

3. POLICY

Question: Can Box 7 be left blank, and let the shipper inform the local APHIS officer of the foreign destination when the 921-2 is exchanged for the Phytosanitary certificate?

Answer: No.

Question: Is it permissible to enter a foreign nation in Box 7 of a 921-2 issued on a railcar, wherein the commodity is transloaded to a different carrier (motor vessel, ocean going barge, or container) bound for the listed foreign nation?

Answer: It depends on whether the commodity is transiting through Canada, or enters commerce in Canada. Two scenarios explain the difference:

Scenario 1: Transiting Canada, meaning the commodity does not enter Canadian commerce. This is determined by whether the commodity requires clearance through Canadian Customs. If the commodity does not require Canadian Customs clearance, it is considered to be transiting Canada and therefore acceptable to show the requested foreign nation as the Country of Destination.

Scenario 2: Not transiting Canada, meaning the commodity does enter Canadian commerce. This is defined as the commodity requiring clearance through Canadian Customs. If the commodity does require Canadian Customs clearance, it is considered to enter Canadian commerce, therefore Canada must be entered as the Country of Destination.

It is the responsibility of the applicant for service (e.g. shipper) to inform the Official Service Provider whether the commodity requires Canadian Customs clearance. Official personnel are not required to make this determination.

The reverse side of Form 921-2 has space for Additional Remarks wherein the Official Service Provider may enter a remark such as “Applicant states the commodity is destined for (*ultimate Country of Destination*).”

4. FILING INSTRUCTIONS

File a copy of this notice with FGIS Directive 9180.35 Phytosanitary Inspection. Field office managers must ensure that a copy of this notice is provided to official agencies operating within their circuit.

5. QUESTIONS

Direct questions regarding this policy to Patrick McCluskey, Policies, Procedures, and Market Analysis Branch, at (816) 659-8403 or email at Patrick.J.McCluskey@usda.gov.